

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2012 MAY 23 AM 11:17

CLERK *[Signature]*

SO. DIST. OF GA.

DONALD FLOYD BROWN, )  
                          )  
                          )  
Movant,                )  
                          )  
v.                      )      Case No. CV411-167  
                          )      CR407-308  
UNITED STATES            )  
                          )  
                          )  
Respondent.            )

**ORDER**

After a careful *de novo* review of the record in this case, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Donald Floyd Brown's 28 U.S.C. § 2255 motion therefore is **DENIED**. Brown has raised two issues worthy of a Certificate of Appealability (COA), so the Court **GRANTS** a COA on them. 28 U.S.C. § 2253(c)(1). And, since there are two non-frivolous issues to be raised

on appeal, an appeal would be taken in good faith. Thus, *in forma pauperis* status on appeal is **GRANTED**. 28 U.S.C. § 1915(a)(3).

**SO ORDERED** this 23 day of May, 2012.

  
**B. AVANT EDENFIELD**  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA